

ORDINANCE NO. 2913

028

SPRINGFIELD ADDITION, DIVISION NO. 1

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the land described in Exhibit A attached hereto is contiguous and adjacent to the City of Idaho Falls and is subject to annexation to the City of Idaho Falls pursuant to the provisions of Section 50-222, Idaho Code, as amended; and,

WHEREAS, it appears to the Mayor and City Council that this land should be annexed to, and become a part of the City;

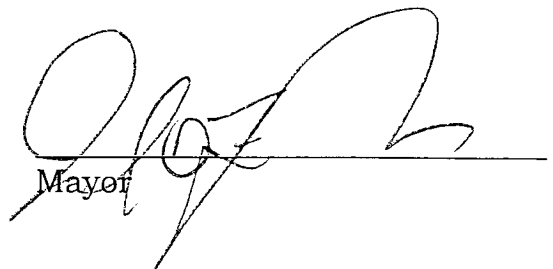
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, AS FOLLOWS:

Section 1. **Annexation of Property.** The land described in Exhibit A attached hereto is hereby annexed to the City of Idaho Falls.

Section 2. **Amended Map and Legal Description.** The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

Section 3. **Effective Date.** This Ordinance shall be effective upon its passage, execution, and publication in the manner provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, on the 8th day of November, 2012, and signed by the Mayor on the 12th day of November, 2012.


Mayor

STATE OF IDAHO)
 :
County of Bonneville)

I, ROSEMARIE ANDERSON, City Clerk of the City of Idaho Falls, Idaho, do hereby certify: That the above and foregoing is a full, true, and correct copy of an Ordinance entitled, "AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND, ESTABLISHING EFFECTIVE DATE."



Rosemarie Anderson
Rosemarie Anderson
City Clerk

RECEIVED

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TECHNICAL SERVICES

EXHIBIT "A"

Part of the NW 1/4 of Section 8, Township 2 North, Range 38 East, B.M., Bonneville County, Idaho described as:

Beginning at a point that is S00°08'29"E 1,805.12 feet along the section line from the NW corner of said Section 8 and running thence S89°54'16"E 391.05 feet to the NW corner of Lot 10 Block 2 of the Spencer Addition Division No. 2 to the City of Idaho Falls; thence S00°05'44"W 174.60 feet to the NE corner of Lot 3 Block 2 of the Spencer Addition to the City of Idaho Falls; thence N89°54'16"W 227.77 feet along the north line of Block 2 to a point on the north line of Lot 1 Block 2 in said Spencer Addition; thence S00°00'00"E 23.00 feet to an angle point on the north line of said Lot 1; thence N89°54'16"W 162.50 feet to the west line of said Section 8; thence N89°59'17"W 40.00 feet to the west line of North Holmes Avenue; thence N00°08'29"W 197.66 feet along said west line; thence S89°54'16"E 40.00 feet to the POINT OF BEGINNING.

Parcel contains 1.833 acres.

BOUNDARY DESCRIPTION

LOTS 1, 2, AND 3, BLOCK 2 OF SPENCER ADDITION DIVISION NO. 1 TO THE CITY OF IDAHO FALLS, AND ALSO A PORTION OF THE NW 1/4 OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 38 EAST B.M., BONNEVILLE COUNTY, IDAHO BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF THE LEWISVILLE HIGHWAY (NORTH HOLMES AVE.) THAT IS S 00°08'29"W 1805.12 FEET ALONG THE SECTION LINE AND S 89°54'16"E 40.13 FEET FROM THE NW CORNER OF SAID SECTION 8 AND RUNNING THENCE S 89°54'16"E 350.92 FEET TO THE NW CORNER OF LOT 10 BLOCK 2 OF THE SPENCER ADDITION DIVISION NO. 2; THENCE S 00°05'44"W 277.89 FEET TO THE SW CORNER OF SAID LOT 10 BLOCK 2, SAID POINT BEING ON A NON-TANGENT CURVE; THENCE TO THE LEFT 199.92 FEET ALONG SAID CURVE (CURVE DATA - DELTA = 03°51'28" R = 2999.18) CHORD BEARS N 87°56'22"W 199.88 FEET TO THE SE CORNER OF SAID LOT 1, BLOCK 2 OF SPENCER ADDITION DIVISION NO. 1; THENCE N 89°54'16"W 124.80 FEET TO A POINT OF CURVE; THENCE TO THE RIGHT 32.15 FEET ALONG SAID CURVE; (CURVE DATA - DELTA = 89°51'12" R = 20.50 FEET) CHORD BEARS N 44°58'40"W 28.95 FEET TO POINT OF REVERSE CURVE; THENCE TO THE LEFT ALONG SAID CURVE 52.91 FEET (CURVE DATA - DELTA = 00°01'32" R = 118466.36) CHORD BEARS N 00°03'50"W 52.91 FEET; THENCE N 89°54'16"W 5.00 FEET TO A POINT ON A NON-TANGENT CURVE ON THE EAST RIGHT OF WAY LINE OF THE OLD LEWISVILLE HIGHWAY; THENCE TO THE LEFT 88.20 FEET ALONG SAID CURVE (CURVE DATA - DELTA = 00°02'34" R = 118461.36) CHORD BEARS N 00°05'52"W 88.20 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE POINT OF TANGENCY OF SAID CURVE REFERENCED ON STATE HIGHWAY PLANS AS STA. 52+16.0; THENCE N 00°07'09"W 109.40 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 2.180 ACRES MORE OR LESS

RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING PLAT SPRINGFIELD ADDITION DIVISION NO. 1 WAS FILED IN THE OFFICE OF THE RECORDER OF BONNEVILLE COUNTY, IDAHO ON THE 15 DAY OF March, 2013 AT 2:41 PM AND RECORDED AS INSTRUMENT NO. 1441211

Ronald Longmore
BONNEVILLE COUNTY RECORDER

Instrument # 1441211
IDAHO FALLS, BONNEVILLE, IDAHO
3-16-2013 02:41:20 No. of Pages: 1
Recorded for: CITY OF IDAHO FALLS
RONALD LONGMORE Fee: 0.00
Ex-Officio Recorder Deputy
Index to: PLAT

CITY ACCEPTANCE

THE ACCOMPANYING PLAT WAS DULY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF IDAHO FALLS BY RESOLUTION ADOPTED THIS 9th DAY OF November, 2012.

Ma Lht Mayor Pro Tem
Rosmarie Anderson CITY CLERK
John E. Brown CITY ENGINEER
John E. Brown CITY SURVEYOR

DRINKING WATER SYSTEM CERTIFICATE

PURSUANT TO I.C. §§ 50-1334, WE, THE OWNERS, CERTIFY THAT THE LOTS SHOWN ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER FROM THE CITY OF IDAHO FALLS MUNICIPAL WATER SYSTEM, AND SAID CITY HAS AGREED IN WRITING TO PROVIDE CULINARY WATER SERVICE TO SAID LOTS PURSUANT TO THE PROVISIONS OF CHAPTER 4, TITLE 8 OF THE IDAHO FALLS CITY CODE AS AMENDED FROM TIME TO TIME.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR SIGNATURES THIS 23 DAY OF JAN, 2013

Casey Wheeler
CASEY WHEELER MANAGING MEMBER, WHEELER PROPERTIES, LLC

HEALTH DEPT. CERTIFICATE

I HEREBY CERTIFY THAT SANITARY RESTRICTIONS REQUIRED IN SECTION 50-1326 OF THE IDAHO CODE HAVE BEEN SATISFIED AND THIS PLAT IS HEREBY APPROVED FOR RECORDING BY FILING OF THIS CERTIFICATE HERewith.

EASTERN IDAHO PUBLIC HEALTH DISTRICT

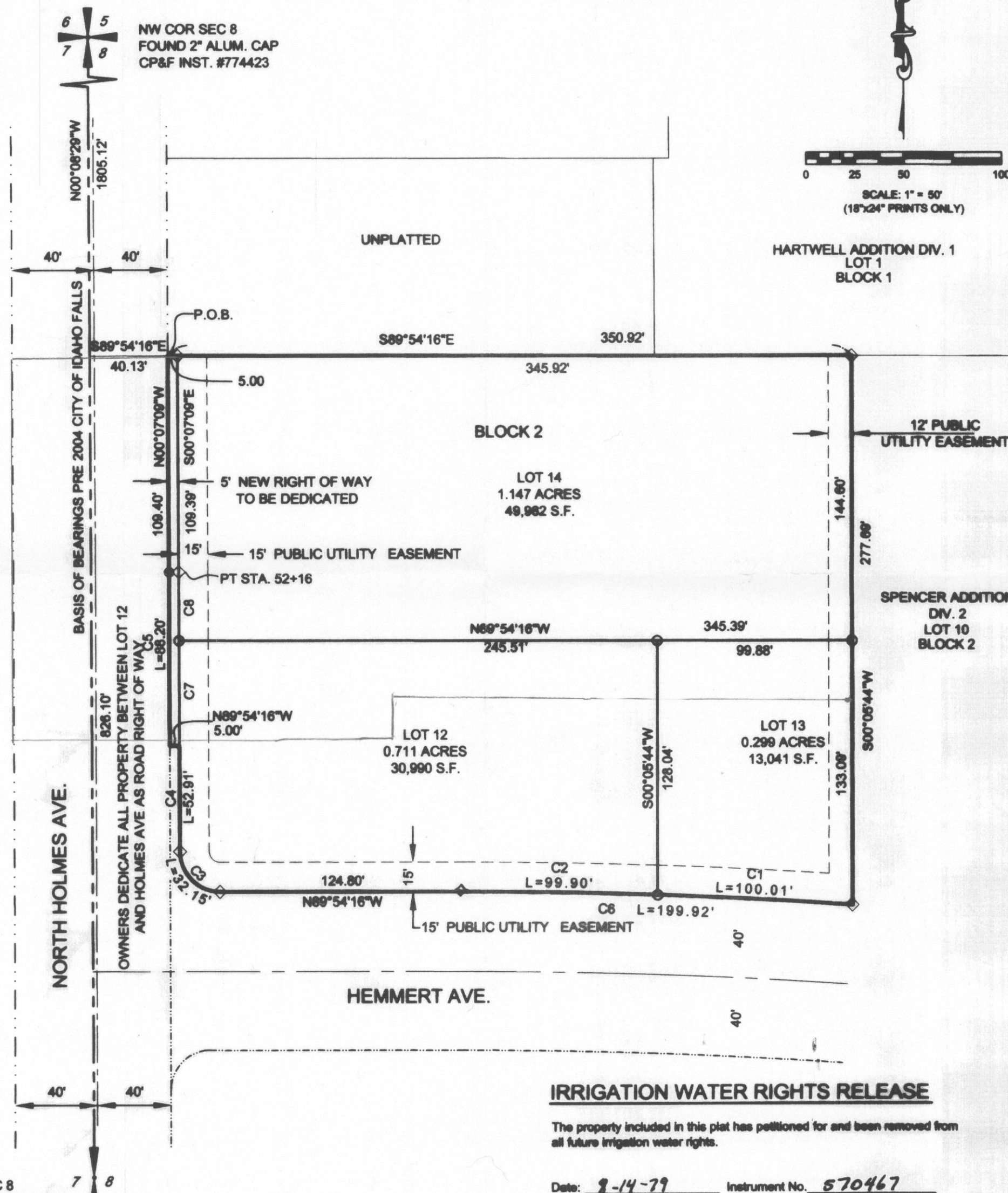
Natasha
ENVIRONMENTAL HEALTH SPECIALIST, REHS
DATE: 2-14-13

LEGEND

- SECTION CORNER CONTROL
- PLACED 5/8" X 24" IRON ROD WITH CAP MARKED HLE P.L.S. 4563
- PLACED 1/2" X 24" IRON ROD WITH CAP MARKED HLE P.L.S. 4563
- FOUND 2" ALUM. CAP RIGHT-OF-WAY MONUMENT P.L.S. 8797
- P.O.B. POINT OF BEGINNING
- PUBLIC UTILITY EASEMENTS DIMENSIONED AS SHOWN.

W1/4 COR SEC 8
FOUND 2" ALUM. CAP
LS 2341
CP&F INST. # 1432539

SPRINGFIELD ADDITION DIVISION NO. 1 TO THE CITY OF IDAHO FALLS BEING A REPLAT OF LOTS 1,2 AND 3, BLOCK 2 OF SPENCER ADDITION DIVISION NO. 1 ALSO IN PART OF THE NW 1/4 OF SECTION 8, T. 2 N., R. 38 E.B.M. BONNEVILLE COUNTY, IDAHO



CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	1°55'48"	2999.18	100.01	N87°00'32"W	100.01
C2	1°55'40"	2999.18	99.90	N88°56'16"W	99.90
C3	89°51'12"	20.50	32.15	N44°58'40"W	28.95
C4	0°01'32"	118466.36	52.91	N00°03'50"W	52.91
C5	0°02'34"	118461.36	88.20	N00°05'52"W	88.20
C6	3°51'28"	2999.18	199.92	N87°56'22"W	199.88
C7	0°01'32"	118466.36	53.00	N00°05'22"W	53.00
C8	0°01'01"	118466.36	35.22	N00°06'39"W	35.22

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, WHEELER PROPERTIES LLC IS THE LAWFUL OWNER OF THE TRACT OF LAND INCLUDED WITHIN THE BOUNDARY DESCRIPTION SHOWN HEREON AND HAVE CAUSED THE SAME TO BE PLATTED AND DIVIDED INTO A BLOCK, AND LOTS, WHICH PLAT SHALL HEREAFTER BE KNOWN AS SPRINGFIELD ADDITION DIVISION NO. 1, AN ADDITION TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO.

BE IT FURTHER KNOWN, THAT WE DO HEREBY DEDICATE GRANT AND CONVEY TO THE PUBLIC, ALL STREETS AND RIGHT-OF-WAYS SHOWN HEREON, THAT WE ALSO GRANT AND CONVEY TO THE CITY OF IDAHO FALLS ALL EASEMENTS SHOWN ON THE PLAT AND THAT WE HEREBY WARRANT AND SHALL DEFEND SUCH DEDICATION AND CONVEYANCES IN THE QUIET AND PEACEFUL POSSESSION OF THE PUBLIC OR THE CITY, AS THE CASE MAY BE, AGAINST SAID OWNERS AND THEIR HEIRS AND ASSIGNS, AND AGAINST EVERY PERSON WHOMSOEVER WHO LAWFULLY HOLDS OR WHO LATER CLAIMS TO HAVE LAWFULLY HELD ANY RIGHTS IN SAID ESTATE AS OF THE DATE HEREOF.

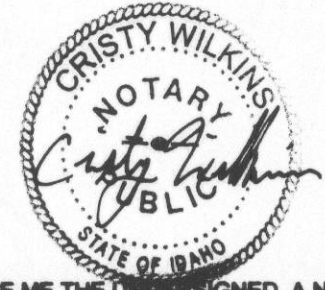
OWNERS, AND THEIR HEIRS AND ASSIGNS, AGREE THEY WILL CONSTRUCT NO PERMANENT STRUCTURE WITHIN OR UPON ANY PUBLIC UTILITY EASEMENT SHOWN HEREON, AND THE CITY AND ITS SUCCESSORS, ASSIGNS OR PERMITEES SHALL ALSO HAVE THE RIGHT, AT THE OWNERS' OR THEIR HEIRS', SUCCESSORS' OR ASSIGNS' EXPENSE, TO REMOVE, CUT OR TRIM ANY TREES, BRUSH, ORNAMENTAL SHRUBBERY OR PLANT WHICH MAY INJURE OR INTERFERE WITH THE USE THEREOF FOR ITS INTENDED PURPOSES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR SIGNATURES THIS 23 DAY OF JAN, 2013

Casey Wheeler
CASEY WHEELER MANAGING MEMBER, WHEELER PROPERTIES, LLC

ACKNOWLEDGMENT

STATE OF IDAHO)
) S.S.
COUNTY OF BONNEVILLE)



ON THIS 23 DAY OF JAN, 2013 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED CASEY WHEELER, KNOWN OR IDENTIFIED TO ME, TO BE A MANAGING MEMBER OF THE LIMITED LIABILITY COMPANY OF WHEELER PROPERTIES LLC, AND THE MEMBER WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING OWNERS DEDICATION AND THE DRINKING WATER SYSTEM CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID LIMITED LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND THE YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

COMMISSION EXPIRATION DATE: 1-12-15

TREASURER'S CERTIFICATE

I, THE UNDERSIGNED COUNTY TREASURER IN AND FOR THE COUNTY OF BONNEVILLE, STATE OF IDAHO, PER THE REQUIREMENTS OF SECTION 50-1308 OF THE IDAHO CODE, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PROJECT ARE CURRENT.

DATE: 3/4/13
Mark R. Hansen
BONNEVILLE COUNTY TREASURER

SURVEYOR'S CERTIFICATE

I, KIM H. LEAVITT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF IDAHO DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION, DESIGNATED AS SPRINGFIELD ADDITION DIVISION NO. 1, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.

Kim H. Leavitt
KIM H. LEAVITT PLS 4563



SURVEYOR'S APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND THAT IT COMPLIES WITH SECTION 50-1305 OF THE IDAHO CODE.

DATE: 3/4/13 *Steve Rounds*
BONNEVILLE COUNTY SURVEYOR, STEVE ROUNDS P.L.S. NO. 12640

IRRIGATION WATER RIGHTS RELEASE

The property included in this plat has petitioned for and been removed from all future irrigation water rights.

Date: 2-14-13 Instrument No. 570467

HARPER-LEAVITT ENGINEERING, INC.
CIVIL & STRUCTURAL ENGINEERING, MATERIALS TESTING & LAND SURVEYING
985 N. CAPITOL AVE. • IDAHO FALLS, IDAHO 83405 • OFFICE: 208.524.0212, FAX: 208.524.0229
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DRAWN BY	DESIGN BY	CHECK BY
SJ	-	KHM
JOB NO: 2012.2518		
DATE: November 28, 2012		
SHEET NO. <u>1</u> OF <u>1</u> SHEETS		